

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MICHAEL LEON WILLIAMS,

Petitioner,

v.

RENEE BAKER et al.,

Respondents.

3:13-cv-334-RCJ-WGC

ORDER

This is a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner. The matter is before the Court on Petitioner's motion to proceed on the exhausted claims. (ECF No. 31).

The matter previously came before the Court on a motion to dismiss the habeas corpus petition because it contained unexhausted claims. By order filed August 25, 2014, the Court found that (a) Ground 1 was dismissed based on Petitioner's voluntary waiver of the claim; (b) Grounds 2 through 17 were exhausted with respect to the ineffective assistance of appellate counsel claims but were unexhausted with respect to the due process claims; (c) Grounds 18 through 21 were exhausted with respect to the due process claims but were unexhausted with respect to the ineffective assistance of appellate counsel claims; (d) Ground 22 was fully unexhausted as to both the due process claim and ineffective assistance of appellate counsel claim; (e) Ground 23 was exhausted with respect to the due process claim but unexhausted with respect to the ineffective assistance of appellate counsel claim; and (f) Ground 24 was fully exhausted as a due process claim. (ECF No. 29 at 14).

Petitioner has now filed his notice of abandonment, indicating that he "unequivocally understands" that he is "forever abandoning the unexhausted grounds for relief in his federal habeas petition" in accordance to this Court's order in docket entry #29. (ECF No. 31 at 2).

1 Respondents shall now file their answer to the remaining grounds for relief.

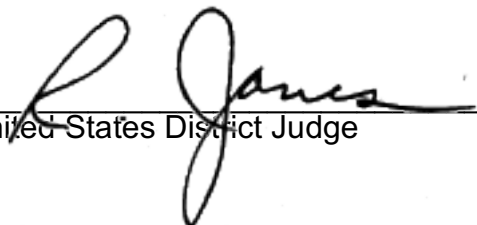
2 IT IS FURTHER ORDERED that the motion to proceed on exhausted claims (ECF No.
3 31) is granted.

4 IT IS FURTHER ORDERED that Respondents SHALL FILE AND SERVE AN ANSWER
5 to all remaining grounds of the petition within thirty (30) days from the entry of this order. The
6 answer shall include substantive arguments on the merits as to each ground of the petition.
7 No further motions to dismiss will be entertained.

8 IT IS FURTHER ORDERED that Petitioner SHALL FILE AND SERVE A REPLY to the
9 answer, within thirty (30) days after being served with the answer.

10 IT IS FURTHER ORDERED that any further exhibits filed by the parties shall be filed
11 with a separate index of exhibits identifying the exhibits by number or letter. The CM/ECF
12 attachments that are filed further shall be identified by the number or numbers (or letter or
13 letters) of the exhibits in the attachment. The hard copy of any additional exhibits shall be
14 forwarded – for this case – to the staff attorneys **in Reno, Nevada**.

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16 Dated: This 16th day of September, 2014.

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19 United States District Judge
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